

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

JAN. 27. 2004 1:55PM

FISH&RICHARDSON\_617-542-8906

NO. 9821 P. 1

## FISH & RICHARDSON P.C.

225 Franklin Street  
Boston, Massachusetts  
02110-2804

Telephone  
617 542-5070

Facsimile  
617 542-8906

Web Site  
[www.fr.com](http://www.fr.com)

**RECEIVED  
CENTRAL FAX CENTER**

**JAN 27 2004**

**OFFICIAL**

Date January 27, 2004

To Victor A., Mandala, Jr.

Telephone: 703/308-6560

Facsimile number 703/872-9306

From William E. Booth, Reg. No. 28,933

Re USSN 09/913,394  
Our Ref.: 12406-021001

Number of pages  
including this page 8

Message Please call me (617)542-5070 or email me ([web@fr.com](mailto:web@fr.com)) after the Revocation and New Power of Attorney has been filed. Thank you.

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at 617 542-5070 to arrange for its return. Thank you.

JAN. 27. 2004 1:55PM

FISH&RICHARDSON\_617-542-8906

NO. 9821 P. 2  
+49 89 50032999 S.03/22

Attorney's Docket No.: 12406-021001 / P1999,0003USN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Osrsm Opto Semiconductors  
GmbH & Co. OHG

Art Unit : 2826

Serial No. : 09/913,394

Examiner : Mandala

Filed : August 13, 2001

Title : OPTICAL SEMICONDUCTOR DEVICE WITH MULTIPLE QUANTUM WELL  
STRUCTURE

RECEIVED  
CENTRAL FAX CENTER

JAN 27 2004

OFFICIAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) Osrsm Opto Semiconductors GmbH, a corporation, certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of:

An assignment from the inventors of the patent application identified above to Osrsm Opto Semiconductors GmbH & Co. OHG., which was recorded in the Patent and Trademark Office at Reel 012630, Frame 0015 on February 22, 2002.

And a merger of Osrsm Opto Semiconductors GmbH & Co. OHG. into Osrsm Opto Semiconductors GmbH, on September 26, 2002, as evidenced by a certified copy and certified translation of entries in the Commercial Register, Konlitzer, Court Office Clerk, Registrar of the Court Office, copies attached hereto, which documents are being submitted for filing in the U.S. Patent and Trademark Office with respect to the above-captioned application.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

JAN. 27. 2004 1:55PM

FISH&RICHARDSON\_617-542-8906

NO. 9821—P. 3

27-JAN-2004 08:56

EPPING HERMAN FISCHER

+49 89 50032999

S.04/22

49 89 50032999

S.03/03

Applicant : Osmo Opto Semiconductors GmbH & Co.

OHG

Serial No. : 09/913,394

Filed : August 13, 2001

Page : 2 of 2

Amway's Docket No.: 12406-  
021001 / P1999,0003 USN

William E. Booth  
Reg. No. 28,933  
FISH & RICHARDSON P.C.  
225 Franklin Street  
Boston, MA 02110-2804

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

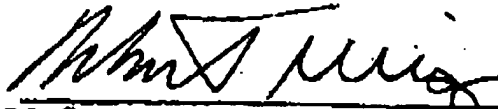
All correspondence regarding the application should be sent to:

PTO Customer Number: 26161

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 27.01.04

  
J.R. MUELLER R. WITSEN

Title: CEO CFO

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20730392.doc

->Dies r Ausdruck wird nicht unterschrieben und gilt als glaubigte Abschrift<-		
Handelsregister B des Amtsgerichts Regensburg	Abteilung B Wiedergabe des aktuellen Registerinhalts Abruf vom 26.11.2003 11:47	Nummer der Firma: HRB 8522
-Amtlicher Ausdruck-	Seite 1 von 2	

## 1. Anzahl der bisherigen Eintragungen:

1

## 2. a) Firma:

OSRAM Opto Semiconductors Gesellschaft mit beschränkter Haftung

## b) Sitz:

Regensburg

## c) Gegenstand des Unternehmens:

Entwicklung, Fertigung und der Vertrieb von Produkten auf Basis von optoelektronischen Halbleitern

## 3. Grund- oder Stammkapital:

5.000.000,00 EUR

## 4. a) Allgemeine Vertretungsregelung:

Ist nur ein Geschäftsführer bestellt, so vertritt er die Gesellschaft allein. Sind mehrere Geschäftsführer bestellt, so wird die Gesellschaft durch zwei Geschäftsführer oder durch einen Geschäftsführer gemeinsam mit einem Prokuristen vertreten.

## b) Vertretungsberechtigte und besondere Vertretungsbefugnis:

Geschäftsführer: Dr. Ing. Müller, Rüdiger, Regensburg, \*27.07.1945

Geschäftsführer: Regitz, Claus, Buxheim, \*05.04.1957

Geschäftsführer: Wittgen, Robert, Krailling, \*25.01.1958

## 5. Prokura:

## 6. a) Gesellschaftsvertrag / Satzung:

Gesellschaft mit beschränkter Haftung

Gesellschaftsvertrag vom 28.09.2001

Zuletzt geändert durch Beschluss vom 28.09.2002

## b) Sonstige Rechtsverhältnisse:

Die Gesellschaft ist entstanden durch formwechselnde Umwandlung der OSRAM Opto Semiconductors GmbH & Co. oHG in Regensburg gemäß Umwandlungsbeschluss vom 28. September 2001, bei dem auch der Gesellschaftsvertrag festgestellt wurde.

Die Gesellschaft ist im Wege der Aufnahme der OSRAM Unternehmensverwaltung Gesellschaft mit beschränkter Haftung in München als übertragend Gesellschaft mit dieser Gesellschaft verschmolzen auf Grund des Verschmelzungsvertrages vom 26. September 2002, des Beschlusses ihrer

->Dies r Ausdruck und nicht unterschrieben und gilt als glaubigte Abschrift<-		
Handelsregister B des Amtsgerichts Regensburg	Abteilung B Wiedergabe des aktuellen Registerinhalts Abruf vom 26.11.2003 11:47	Nummer der Firma: HRB 8522
-Amtlicher Ausdruck-	Seite 2 von 2	

Gesellschafterversammlung vom 26. September 2002 und des Beschlusses der  
Gesellschafterversammlung der übertragenden Gesellschaft vom 26. September 2002.

Die Gesellschaft hat mit der OSRAM Gesellschaft mit beschränkter Haftung, München am 22./26.  
März 2002 mit Änderungsvereinbarung vom 26. April 2002 einen Beherrschungs- und  
Gewinnabführungsvertrag geschlossen, dem die Gesellschafterversammlungen beider Gesellschaften  
am 25. März 2002 mit Nachtrag vom 29. April 2002 und am 29. April 2002 zugestimmt haben.

7. a) Tag der letzten Eintragung:

19.11.2003

Regensburg, 26.11.2003  
Der Ausdruck bezeugt den Inhalt des  
Handelsregisters  
Könlitz, Justizobersekretär  
Urkundebeamter der Geschäftsstelle



## CERTIFIED TRANSLATION FROM THE GERMAN LANGUAGE

→ This printout is not signed but is valid as a certified copy ←		
Commercial Register B of the Regensburg Local Court	Division B Reproduction of the actual Entries in the Register Call-up date: 26-11-2003, 11:45 a.m.	Number of company: HRB 8522
- Official Printout -	Page 1 of 2	

## 1. Number of entries to date:

1

## 2. a) Company:

OSRAM Opto Semiconductors Gesellschaft mit beschränkter Haftung

## b) Registered office:

Regensburg

## c) Business activity:

Development, production, and distribution of products based on opto-electronic semiconductors

## 3. Registered or share capital:

EUR 5.000.000,00

## 4. a) General provisions of representation:

In case of only one general manager being appointed, he has sole representation. In case of several general managers being appointed, the company will be represented either by two general managers, or by one general manager together with an authorized signatory.

## b) Representatives, special authorization:

Managing director: Dr. Ing. Möller, Rüdiger, Regensburg, \*27-07-1946

Managing director: Regitz, Claus, Buchheim, \*05-04-1957

Managing director: Wülgen, Robert, Kraling, \*26-01-1968

## 5. Agency powers:

—

## 6. a) Articles of Association:

Limited company under German law, Articles of Association dated 26-09-2001

Last changed by resolution dated 26-09-2002

## 7. b) Additional legal status:

The company was established by formal conversion of the OSRAM Opto Semiconductors GmbH & Co. oHG with registered office in Regensburg, pursuant to a resolution to re-organise dated September 26<sup>th</sup>, 2001, at which date the Articles of Association were decided upon.

By means of incorporation of the OSRAM Unternehmensverwaltung Gesellschaft mit beschränkter Haftung with registered office in Munich, the company, with status of the surviving company, has merged with said company based on the merger agreement dated September 26<sup>th</sup>, 2002, resolution of the company meeting dated September 26<sup>th</sup>, 2002., and resolution of the incorporating company meeting dated September 26<sup>th</sup>, 2002.

JAN. 27. 2004 1:57PM

FISH&RICHARDSON\_617-542-8906

NO. 9821 P. 7

49 89 50032999

S.05/06

→ This printout is not signed but is valid as a certified copy ←		
Commercial Register B of the Regensburg Local Court	Division B Reproduction of the actual Entries in the Register Call-up date: 26-11-2003, 11:45 a.m.	Number of company: HRB 8522
- Official Printout -		
Page 2 of 2		

On March 22<sup>nd</sup>/25<sup>th</sup>, 2002, with amendment dated April 26<sup>th</sup>, 2002, the company has signed a dependency- and profit and loss absorption agreement with OSRAM Gesellschaft mit beschränkter Haftung, Munich, which the company meetings of both companies have agreed to on March 26<sup>th</sup>, 2002, together with the amendment dated April 29<sup>th</sup>, 2002.

7. a) Date of last entry:

18-11-2003

Regensburg, 26-11-2003  
This printout certifies the entries in the  
Commercial Register  
Könitzer, Court Office Clerk  
Registrar of the Court Office

(Official Stamp, Local Court, Bavaria)



**URSULA PARRY**  
Interpreter and translator  
for the English language duly  
registered, Commissioned and  
sworn in by German Courts

As a translator for the English language, officially assigned and sworn in by the President of the Munich II District Court, I hereby affix my hand and seal that the present  
translation of the document presented to me in the form of an original, written in German, is complete and correct.

**URSULA PARRY**  
Interpreter and translator  
for the English language duly  
registered, Commissioned and  
sworn in by German Courts

This is to certify that the above trans-  
lation is a true and complete English  
version of the original document.  
Munich, 25-01-04 J. P. Parry